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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

BLUESTONE INNOVATIONS, LLC,

Plaintiff,

v.

LG ELECTRONICS, INC., et al.,

Defendants.

CASE NO.: 3:13-cv-01770-SI

Hon. Susan Illston

**STIPULATED REQUEST FOR
ORDER CHANGING TIME**

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Pursuant to Northern District of California Local Rule 6-2, plaintiff Bluestone Innovations, LLC (“Bluestone”) and defendants Acer, Inc., Acer America Corporation, Best Buy Co., Inc., Best Buy Stores, L.P., Bestbuy.com, LLC, LG Electronics, Inc., LG Electronics U.S.A., Inc., and VIZIO, Inc. (collectively, “defendants”) hereby request that the Court enter an order confirming certain deadlines and setting new dates for case management conferences, tutorial, and Markman hearing based on its August 30, 2013 Order re Discovery Dispute in *Bluestone v. Nichia Corp., et al.*, Case No. C 12-00059-SI (Dkt. No. 337).

I. Factual Background

On August 30, 2013, the Court issued its Order re: Discovery Dispute, which extended the deadline for defendant Nichia to serve its invalidity contentions 45 days after Bluestone served its supplemental infringement contentions. *See* Case No. C 12-00059-SI (Dkt. No. 337). Bluestone subsequently electronically served its supplemental infringement contentions on Nichia on August 30, 2013, moving the date for the service of invalidity contentions from September 9, 2013 to October 17, 2013.¹

As a result of moving the date for the service of invalidity contentions, the remaining dates and deadlines in the current schedule of both cases, including two case management conferences, the technology tutorial, and Markman hearing can no longer be applicable, as there are numerous resulting discrepancies, including the Tutorial and Markman scheduled before this Court occurring prior to the deadline for Bluestone to file its Reply Claim Construction Brief. Accordingly, the parties request that the Court enter the revised schedule as detailed below, or a substantially similar schedule more convenient to the Court, which avoids these discrepancies.

¹ The parties agreed that the extension of the deadline to serve invalidity contentions was extended for all defendants.

II. Requested Dates

The parties request that the Court enter the following new deadlines and hearing dates or substantially similar deadlines and hearing dates convenient to the Court, which reflect the same timing of the schedule entered by the Court on July 2, 2013 (Dkt. No. 123).

Event²	Previous Date Set in July 2, 2013 Civil Pretrial Minutes (Dkt. No. 123)	Proposed New Date Based on Patent Local Rules and Existing Case Schedule
Nichia [and other defendants] to serve “Invalidity Contentions.” (P.L.R. 3-3); Nichia [and other defendants] to produce documents to accompany “Invalidity Contentions.” (P.L.R. 3-4) (45 days from service of infringement contentions)	September 9, 2013	October 17, 2013
All parties to exchange proposed terms for construction. (P.L.R. 4-1) (14 days from service of invalidity contentions)	September 23, 2013	October 31, 2013
All parties to exchange preliminary claim constructions and extrinsic evidence. (P.L.R. 4-2) (35 days from service of	October 14, 2013	November 21, 2013

² Case management conferences and hearings before this Court are listed in bold.

1	invalidity contentions)		
2	All parties to file Joint Claim	November 8, 2013	December 16, 2013
3	Construction and Prehearing		
4	Statement. (P.L.R 4-3) (60 days		
5	from service of invalidity		
6	contentions)		
7	Further Case Management	November 22, 2013	January 17, 2014 at
8	Conference	at 2:30 p.m.	2:30 p.m., or at a more
9			convenient time for
10			the Court
11	Complete claim construction	December 9, 2013	January 15, 2014
12	discovery. (P.L.R. 4-4) (90 days		
13	from service of invalidity		
14	contentions)		
15	Deadline to amend pleadings or	December 18, 2013	January 24, 2014
16	add parties. (145 days from		
17	service of infringement		
18	contentions)		
19			
20	Bluestone to file opening claim	January 7, 2014	February 14, 2014
21	construction brief. (P.L.R. 4-5(a))		
22	(60 days from service of the joint		
23	claim construction and prehearing		
24	statement)		
25			
26	Defendants to file responsive	February 21, 2014	March 31, 2014
27	claim construction brief. (P.L.R.		
28	4-5(b)) (45 days from service of		

1	the opening claim construction		
2	brief)		
3	Bluestone to file reply claim	March 7, 2014	April 14, 2014
4	construction brief. (P.L.R. 4-5(c))		
5	(14 days from service of the		
6	responsive claim construction		
7	brief)		
8	Tutorial	April 2, 2014 at 3:30	May 7, 2014 at 3:30
9		p.m.	p.m. , or at a more
10			convenient time for
11			the Court
12	Markman	April 9, 2014 at 3:30	May 14, 2014 at 3:30
13		p.m.	p.m. , or at a more
14			convenient time for
15			the Court
16	Further Case Management	April 25, 2014 at	May 30, 2014 at 3:00³⁰
17	Conference	3:00 p.m.	p.m. , or at a more
18			convenient time for
19			the Court

1 Dated: October 1, 2013

Respectfully submitted,

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